

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JOHN ALBERT THOMPSON §
VS. § CIVIL ACTION NO. 1:05cv697
T.C. OUTLAW §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner John Albert Thompson, an inmate confined at the Federal Correctional Complex in Coleman, Florida, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the above-styled petition be dismissed without prejudice.


The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties. Plaintiff indicates he wishes to pursue the petition in the United States District Court for the Middle District of Florida. Therefore, in an effort to expedite the proceedings, the Clerk of Court should

provide to petitioner a copy of the relevant pleadings so that he may refile them in the Florida court.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. It is **ORDERED** that the Clerk of Court is **DIRECTED** to copy all documents submitted by petitioner in this action, and mail the copies to petitioner so that he may refile his petition in the United States District Court for the Middle District of Florida. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED this the **13** day of **December, 2006**.


Thad Heartfield
United States District Judge